



General Assembly

January Session, 2009

Raised Bill No. 791

LCO No. 2763

02763_____ENV

Referred to Committee on Environment

Introduced by:
(ENV)

AN ACT BANNING BISPHENOL-A IN CERTAIN CHILDREN'S PRODUCTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (e) of section 21a-335 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *January 1, 2010*):

4 (e) "Hazardous substance" means: (1) (A) Any substance or mixture
5 of substances which (i) is toxic, (ii) is corrosive, (iii) is an irritant, (iv) is
6 a strong sensitizer, (v) is flammable or combustible, or (vi) generates
7 pressure through decomposition, heat or other means, if such
8 substance or mixture of substances may cause substantial personal
9 injury or substantial illness during or as a proximate result of any
10 customary or reasonably foreseeable handling or use, including
11 reasonably foreseeable ingestion by children; (B) any substances which
12 the administrator by regulation finds meet the requirements of
13 subdivision (1) (A) of this subsection pursuant to the provisions of
14 subsections (b) and (c) of section 21a-336; (C) any substance classified
15 as a hazardous substance pursuant to federal regulations adopted
16 under the authority of the federal Hazardous Substances Act (15 USC

17 1261 et seq.); (D) any radioactive substance, if, with respect to such
 18 substance as used in a particular class of article or as packaged, the
 19 administrator determines by regulation that the substance is
 20 sufficiently hazardous to require labeling in accordance with this
 21 section and sections 21a-336 to 21a-346, inclusive, in order to protect
 22 the public health; (E) any toy or other article (i) containing bisphenol-A
 23 that is marketed for the use of children under the age of three years, or
 24 (ii) intended for use by children which the administrator by regulation
 25 determines in accordance with subsection (a) or (b) of section 21a-336
 26 presents an electrical, mechanical or thermal hazard; (2) "hazardous
 27 substance" shall not apply to economic poisons subject to the federal
 28 Insecticide, Fungicide and Rodenticide Act or chapter 441 nor to foods,
 29 drugs and cosmetics subject to chapter 418, nor to substances intended
 30 for use as fuels when stored in containers and used in the heating,
 31 cooking or refrigeration system of a house, but such term shall apply
 32 to any article which is not itself an economic poison within the
 33 meaning of the federal Insecticide, Fungicide and Rodenticide Act or
 34 said chapter 441 but which is a hazardous substance within the
 35 meaning of subdivision (1) of this subsection by reason of bearing or
 36 containing such an economic poison; (3) "hazardous substance" shall
 37 not include any source material, special nuclear material or by-product
 38 material as defined in the Atomic Energy Act of 1954, as amended, and
 39 regulations issued pursuant thereto by the Atomic Energy
 40 Commission.

This act shall take effect as follows and shall amend the following sections:

Section 1	January 1, 2010	21a-335(e)
-----------	-----------------	------------

Statement of Purpose:

To ban any children's products containing bisphenol-A that are marketed for the use of children under the age of three years.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]